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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/748,399

12/30/2003

Adam J. Weissman

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11/22/2006

PATENT DEPARTMENT - 53051  
KILPATRICK STOCKTON LLP  
1001 WEST FOURTH STREET  
WINSTON-SALEM, NC 27101

EXAMINER

KIM, PAUL

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/748,399

Applicant(s)

WEISSMAN ET AL.

Examiner

Paul Kim

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/8/06
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 6 November 2006.
2. Claims 1-38 are pending and present for examination.

#### *Response to Amendment*

3. Claims 1, 5, 12, 16, 20, 24, 31, 35 have been amended.
4. No claims have been added.
5. No claims have been cancelled.

#### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-38** are rejected under 35 U.S.C. 102(b) as being anticipated by Wical et al (U.S. Patent No. 6,101,515, hereinafter referred to as WICAL), filed on 31 May 1996, and issued on 8 August 2000.

8. **As per independent claims 1 and 20**, WICAL teaches:

A method, comprising:

receiving a primary term representing a first concept to be added to a network of interrelated concepts {See WICAL, col. 4, lines 49-65, wherein this reads over "the learning system may select the high level category 'business and economics'"};

receiving at least one related term associated with the primary term {See WICAL, col. 4, lines 49-65, wherein this reads over "an example input term, 'short-term'"};

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receiving at least one relationship between the first concept and a second concept {See WICAL, col. 5, lines 16-19, wherein this reads over "[t]he learning system classifies the term 'short-term' in the 'economics' category"};

receiving a relationship type associated with the at least one relationship {See WICAL, Figure 3; col. 3, lines 2-29, wherein this reads over "[t]he categories are arranged in a hierarchical structure that includes a plurality of levels"; and col. 4, lines 43-45, wherein this reads over "the parent category . . . includes the child categories"};

receiving a strength value associated with the relationship {See WICAL, col. 10, lines 34-40, wherein this reads over "reflects the strength of the classification of the term for the category"}; and

adding the first concept to the network {See WICAL, col. 4, lines 25-28, wherein this reads over "[i]n addition to identifying the proper high level category to learn a term, the learning system determines the proper level of the hierarchy under the high level category to classify the term"}.

**9. As per dependent claims 2 and 21, WICAL teaches:**

The method of claim 1, further comprising:

receiving a user request to create the first concept {See WICAL, col. 9, lines 32-37, wherein this reads over "the learning system receives user input that specifies, in part, terms for learning"}; and

causing a display of a concept view {See WICAL, col. 17, lines 26-28, wherein this reads over "the learning system includes a user interface that allows the user to select a number of terms for which the user desires to manually verify"}.

**10. As per dependent claims 3 and 22, WICAL teaches:**

The method of claim 1, further comprising receiving information defining a part of speech of the first concept {See WICAL, col. 19, lines 38-42, wherein this reads over "the lexicon defines whether a particular word is a noun, a verb, an adjective, etc."}.

**11. As per dependent claims 4, 15, 23, and 34, WICAL teaches:**

The method of claim 1, wherein the relationship can be hierarchical or lateral {See WICAL, Figures 1b, 3, and 7; and col. 9, lines 38-52, wherein this reads over "the semantic/lexical relationship between categories, is first measured in an up/down direction, and then, if applicable, in a left/right direction"}.

**12. As per dependent claims 5, 16, 24, and 35, it would be inherent for the relationship**

between the terms and categories to take the form of one of the following: kind of, has kind, part of, has part, member of, has member, substance of, has substance, product of, and has product. That is, in order for a term to be considered within a category, the relationship will minimally require that the term at least be either a "member of" the category.

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**13. As per dependent claims 6, 17, 25, and 36, WICAL teaches:**

The method of claim 1, further comprising receiving information defining a frequency of the primary term {See WICAL, col. 11, lines 6-9, wherein this reads over "[t]he learning system utilizes the cumulative total number of documents classified into a particular category for a term"}.

**14. As per dependent claims 7, 18, 26, and 37, WICAL teaches:**

The method of claim 1, further comprising receiving information defining a likelihood that the primary term and the related terms imply the first concept {See WICAL, col. 11, lines 52-54, wherein this reads over "a cumulative classification strength is assigned to each branch of categorization schema"; and lines 56-57, wherein this reads over "the learning system also includes determining whether the term is worth learning"}.

**15. As per dependent claims 8, 19, 27 and 38, WICAL teaches:**

The method of claim 1, further comprising receiving information defining a breadth of the first concept {See WICAL, col. 7, lines 35-37, wherein this reads over "[t]he knowledge catalog, used to classify terms for learning, provides a unique infrastructure to accurately represent categories that define knowledge" and "a set of static ontologies"}.

**16. As per dependent claims 9 and 28, WICAL teaches:**

The method of claim 1, further comprising receiving information that the first concept is offensive {See WICAL, col. 11, lines 62-63, wherein this reads over "[t]he learning system analyzes the contextual data to determine whether the term is too ambiguous to learn"}.

**17. As per dependent claims 10 and 29, WICAL teaches:**

The method of claim 1, further comprising receiving user data {See WICAL, col. 17, lines 9-10, wherein this reads over "a user may therefore re-categorize one or more phrases"}.

**18. As per dependent claims 11 and 30, WICAL teaches:**

The method of claim 1, further comprising receiving context information {See WICAL, col. 2, lines 3-5, wherein this reads over "[d]uring an accumulation phase, the learning system accumulates contextual data from the set of documents for the term"}.

**19. As per independent claims 12 and 31, WICAL teaches:**

A method, comprising:

receiving a request to edit a first concept in a network of interrelated concepts {See WICAL, col. 17, lines 5-9, wherein this reads over "a user that manually checks the categorization results of the learning system process brings to bear a broader semantic context"; and lines 26-28, wherein this reads over "allows the user to select a number of terms for which the user desires to manually verify"};

causing a display of the first concept {See WICAL, col. 17, lines 26-28, wherein this reads over "the learning system includes a user interface that allows the user to select a number of terms for which the user desires to manually verify"};

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receiving at least one relationship between the first concept and a second concept {See WICAL, col. 5, lines 16-19, wherein this reads over "[t]he learning system classifies the term 'short-term' in the 'economics' category"};

receiving a relationship type associated with the at least one relationship {See WICAL, Figure 3; col. 3, lines 2-29, wherein this reads over "[t]he categories are arranged in a hierarchical structure that includes a plurality of levels"; and col. 4, lines 43-45, wherein this reads over "the parent category . . . includes the child categories"};

receiving a strength value associated with the relationship {See WICAL, col. 10, lines 34-40, wherein this reads over "reflects the strength of the classification of the term for the category"}; and

updating the first concept in the network {See WICAL, col. 4, lines 25-28, wherein this reads over "[i]n addition to identifying the proper high level category to learn a term, the learning system determines the proper level of the hierarchy under the high level category to classify the term"; and col. 17, lines 9-10, wherein this reads over "a user may therefore re-categorize one or more phrases"}.

20. **As per dependent claims 13 and 32, WICAL teaches:**

The method of claim 12, further comprising receiving an edited strength value for an existing relationship between the first concept and another concept {See WICAL, col. 17, lines 48-53, wherein this reads over "classification strengths are generated from the initial bottom to top analysis of the categorization schema. During the subsequent top to bottom analysis, the learning system, for this example categorization schema, eliminates nodes that contain insufficient data (e.g. noise nodes)"}.

21. **As per dependent claims 14 and 33, WICAL teaches:**

The method of claim 12, further comprising receiving an edited relationship for an existing relationship between the first concept and another concept {See WICAL, col. 17, lines 9-10, wherein this reads over "a user may therefore re-categorize one or more phrases"}.

### ***Response to Arguments***

22. Applicant's arguments filed 6 November 2006 have been fully considered but they are not persuasive.

a. **Applicant's Arguments**

i. 35 U.S.C. 102(b) under Wical

Applicant asserts the argument that Wical does not disclose "receiving a relationship type associated with the at least one relationship" (See Amendment, page 12).

**b. Response to Arguments****i. 35 U.S.C. 102(b) under Wical**

As per the rejection of claims 1, 12, 20, and 31 and Applicant's assertion that Wical fails to disclose the method of "receiving a relationship type associated with the at least one relationship," Applicant is directed to Wical, specifically, Figure 3, column 3, lines 2-29, and column 4, lines 43-45. With respect to the aforementioned disclosure found within the prior art of Wical, one of ordinary skill in the art at the time the invention was made would be able to properly relate that whenever a relationship is received, a relationship type is inherently associated with the relationship. That is, as found in Wical, one of ordinary skill in the art at the time the invention was made would be able to discern that the organization of categories in a hierarchy promotes and discloses a method wherein a parent-child node relationship type or a sibling-sibling node relationship type would be received in association with the relationship such that the relationship type would allow the proper categorization and implementation of the relationship within the overall hierarchy. Furthermore, it would be inherent and necessary to the claimed invention to receive a relationship type such that the method would then be able to update the first concept accordingly with the network.

Therefore, for the aforementioned reasons above, the rejections of claims 1, 12, 20, and 31 under 35 U.S.C. 102(b) are sustained.

***Conclusion***

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

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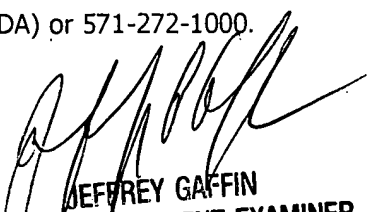
shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Kim  
Patent Examiner, Art Unit 2161  
TECH Center 2100



JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100